

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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Long Painting Company :
:
: Plaintiff(s), :
: 17 Civ. 9975 (KBF) :
: -v- :
General Electric Company and :
Alstom Renewable US LLC :
: Defendant(s). :
----- X

SCHEDULING ORDER

KATHERINE B. FORREST, District Judge:

The parties propose the following schedule for this matter:

1. All parties [**do** ☐ / **do not** ☒] consent to conducting all further proceedings before a United States Magistrate Judge, including motions and trial. 28 U.S.C. § 636(c). The parties are free to withhold consent without adverse substantive consequences.¹
2. Amended pleadings may not be filed, and no party may be joined, without leave of Court more than 20 days after the filing of this Order or the filing of a responsive pleading, whichever occurs first.
3. Close of fact discovery: October 1, 2018. [**within 4 months unless the case is particularly complex**]
4. Close of expert discovery: December 3, 2018. [**25 days after the close of fact discovery; the parties are to negotiate interim dates regarding expert witnesses**]

The parties contemplate experts in this matter for the following subject(s):
_____.

5. [**For F.L.S.A. actions only**] Plaintiff(s) [**do** ☐ / **do not** ☐] anticipate making a motion for conditional certification of a collective action under 29 U.S.C. § 216(b). Plaintiff(s) shall include a proposed notice with the opening brief.

¹ If all parties so consent, they should execute a consent form (available at <http://www.nysd.uscourts.gov/file/forms/consent-to-proceed-before-us-magistrate-judge>) and submit it to the Court via e-mail, along with this proposed order.

Section 216(b) proposed briefing schedule:

Opening: _____ [30 days after initial conference]
Opp'n: _____ [21 days after opening brief]
Reply: _____ [7 days after opposition brief]

6. The parties [**do** / **do not**] anticipate making dispositive motions.
The contemplated dispositive motion(s) is/are a motion(s)
Both parties may make dispositive motions _____.

Proposed briefing schedule:

12/17/18
1/22/19
2/2/19

← Opening: ~~October 15, 2018~~ [no later than item 3]
← Opp'n: ~~November 5, 2018~~ [21 days after opening brief]
← Reply: ~~November 12, 2018~~ [7 days after opposition brief]
Last dates to file; motions may be brought at any time.

7. Trial [**will** ☐ / **will not** ☒] be before a jury.²

DO NOT FILL IN BELOW. THE COURT WILL SET ITEMS 7-10.

8. The next status conference is set for 5/7/18 at 1pm (telephonic)
9. Pretrial materials, including the Joint Pretrial Order ("JPTO"), are due:
_____.

10. The Final Pretrial Conference ("FPTC") is set for _____ at _____.

Motions in limine are due two weeks before FPTC; oppositions are due one week later. Daubert motions are due four weeks before FPTC; oppositions are due two weeks later. (No replies.)³

11. Trial in this matter shall commence on 3/19/19. Trial is anticipated to take _____ / _____ [days / ~~weeks~~].

Settlement discussions must occur in parallel to this schedule (schedule will not be adjourned, except in very unusual situations, for settlement discussions).

SO ORDERED.

Dated: New York, New York

3/1, 2018

K.B. Forrest
KATHERINE B. FORREST
United States District Judge

² Checking this box does not constitute a formal jury demand under Fed. R. Civ. P. 38(b). It serves a purely administrative function.

³ Deadlines for motions in limine and Daubert motions are generalized and subject to change. The parties may request modified schedule if desired.